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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

OCT 30 2006

**PATENT APPLICATION**

Applicants: **John S. Hendricks** Case: **3698.00D6 (SEDN/3698D6)**  
Serial No.: **09/966,759** Examiner: **Koenig, Andrew Y.**  
Filed: **10/1/01** Group Art Unit: **2623**  
Confirmation #: **7417**  
Title: **TIERED PROGRAMMING TELEVISION DELIVERY SYSTEM**

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO, on the date indicated below.	
10-30-06 Date	<i>C. Moser</i> C-1221/SCS

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

**RESPONSE UNDER 37 C.F.R. §1.111**

In response to the non-final Office Action mailed July 31, 2006, please consider the above-identified patent application as follows.

In the event that an extension of time is required for this amendment to be considered timely, and a petition therefor does not otherwise accompany this amendment, any necessary extension of time is hereby petitioned for.

The Commissioner is authorized to charge any fees due, including extension of time and excess claim fees, to counsel's Deposit Account No. 20-0782/SEDN/3698D6.